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DELTA STEWARDSHIP COUNCIL

April 21, 2010

Mr. Charles Hoppin, Chair
State Water Resources Control Board
1001 I Street
Sacramento, CA 95814

Chair
Phil Isenberg

Members
Randy Fiorini
Gloria Gray
Patrick Johnston
Hank Nordhoff
Don Nottoli
Richard Roos-Collins

Re: Appointment of Delta Watermaster

Interim Executive Officer
P. Joseph Grindstaff

Dear Chair Hoppin:

It was a pleasure to meet with you last week to discuss—in the context of implementing SB X7 1-- some of the most pressing, and important, water and ecosystem challenges facing the State. Your approach is refreshing and it was very useful to share ideas for how the Delta Stewardship Council and the State Water Board may work together in the coming months. Next meeting, I come to your office!

As we discussed, one important near term “governance” action required by SB X7 1 is the appointment by the State Board, in consultation with the Council, of a Delta Watermaster.

I noticed that you have released the job application information for Watermaster. This letter is simply to restate some of my general observations for your consideration:

- The legislation is relatively expansive with regard to the duties and responsibilities of the Watermaster.
- Public expectation for the new governance structure authorized last year, is likely to be high. I discouraged taking a view of the Watermaster as a technical position only.
- Since your salary limits are low, I urged you to consider soliciting applications from a range of individuals who might well be willing to serve in state service at no public cost, or at the relatively low level indicated. To make this possible, any candidate would want to know that the Board would assign serious responsibilities and duties to the position.

Water Code Section 85230 requires the Watermaster to exercise the State Board’s authority to provide timely monitoring and enforcement of board orders and license and permit terms and conditions, as applicable to the Delta.. That provision further requires that the Watermaster’s delegated authority, as applicable to the Delta include, among other things, authority to require monitoring and reporting, to approve temporary urgency changes, to issue notices of proposed cease and desist orders or administrative civil liability complaints. The State Board may provide any additional duties or needs of the Watermaster that the board deems necessary for effective day-to-day enforcement of its decisions.

While the responsibilities and limited jurisdiction of the Watermaster might appear at first glance to be merely technical and administrative in nature, the complex and interrelated nature of Delta issues and

"Coequal goals" means the two goals of providing a more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem. The coequal goals shall be achieved in a manner that protects and enhances the unique cultural, recreational, natural resource, and agricultural values of the Delta as an evolving place."

— State Water Code §85054

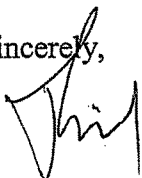
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their importance to the future prosperity of our State and the entire nation raise the stature of this position to a high level. The Legislature intended the Watermaster to be a "special master for the Delta", provided for a significant four-year term of appointment, and required regular reporting to the State Board and the Council precisely because this position is such an integral precursor to comprehensively fixing the hub of the state's water system.

I will discuss these comments with other Council members at our meeting later this week. However, I strongly encourage the Board to appoint as the Watermaster, a person whose qualifications evidence the highest integrity, stature, and executive-level management experience befitting this critically important new position. In this regard, we would recommend also considering strong candidates outside of the state civil service system, including those who may be retired and/or willing to serve on an unpaid basis.

Thank you again for the constructive meeting we had several days ago and for considering our recommendations on the appointment of the Delta Watermaster. I look forward to working with you and your staff in the days to come on these and other challenging delta-related issues. Please don't hesitate to call me if you have any questions or would like to discuss this or any other matter.

Sincerely,



Phillip Isenberg
Chair

I really enjoyed the talk & want to do it again. Phil